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**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ANGEL S. OLDEN-COE,

Plaintiff,

v.

TACO BELL CORP., sued in its official capacity as a Fast Food Restaurant organized and existing under the Laws of the State of Illinois and located in the City of Shorewood, Will County, 996 Brook Forest Avenue, Shorewood, Illinois 60431; MARY BEYER, sued in her individual and personal capacity as the Human Resource Manager to TACO BELL CORP., 566 W 13848 Hemming Way, Muskego, WI 53150; JACQUES T., sued in his individual and personal capacity as a Marketing Coach for TACO BELL CORP., 4575 Weaver Parkway, Suite 200, Warrenville, Illinois 60555,

Defendants.

No. 08CV3066
JUDGE KENDALL
MAGISTRATE JUDGE BROWN

Honorable Virginia M. Kendall

INITIAL STATUS REPORT

This is the joint initial status report for Olden-Coe vs. Taco Bell, et. al., 08CV-03066. As of July 7, 2008, no defendant has been served. Plaintiff's counsel has contacted the United States Marshal's Office numerous occasions to determine if service had been effectuated. At this time, plaintiff is unable to answer many of the desired issues to be answered in the initial status report.

- 1) The attorney of record for the plaintiff is Mark M. Burden and the attorneys expected to try the case if the case goes to trial will be Mr. Burden and George K. Samuel.

- 2) The basis for federal jurisdiction is a federal question as plaintiff alleges violations of two federal statutes. Plaintiff alleges violations of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e-h and the Americans with Disabilities Act, 42 U.S.C. § 12101.
- 3) The nature of the claims involves allegations of racial discrimination, retaliation for filing a workers' compensation claim against defendant, and discrimination of plaintiff because of her disabilities.
- 4) None of the defendants have been served yet. The United States Marshal's office is in the process of serving defendants, but has not yet effectuated service on any defendant.
- 5) Without conferring with opposing counsel, it would be premature for plaintiff to state the principal legal issues in this case.
- 6) Without conferring with opposing counsel, it would be premature for plaintiff to state the factual issues in this case.
- 7) Plaintiff has demanded a jury trial.
- 8) Because no defendants have been served and no defense counsel has filed an appearance, no discovery has been undertaken. Plaintiff envisions routine discovery including document discovery, depositions of parties, depositions of fact witnesses, and depositions of experts.
- 9) Without conferring with opposing counsel, plaintiff cannot determine the earliest date the parties will be ready for trial and the length of trial.
- 10) Without conferring with opposing counsel, plaintiff cannot determine whether the parties unanimously consent to proceed before the Magistrate Judge.

11) Because no defense counsel has filed an appearance, there have been no settlement discussions. However, plaintiff welcomes the opportunity to engage in a settlement conference.

Respectfully submitted,

DONOHUE BROWN MATHEWSON & SMYTH LLC

By: \s\Mark M. Burden
Mark M. Burden

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CERTIFICATE OF SERVICE

I hereby certify that on July 7, 2008, I caused to be electronically filed: INITIAL STATUS REPORT, with the Clerk of Court using the CM/ECF System that will send notification of such filing(s) to the following:

Mark M. Burden

And I hereby certify that on July 7, 2008, I caused to be mailed by United States Postal Service, a courtesy copy of the above document(s) to the following non-registered participants:

/s/Mark M. Burden

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George K. Samuel (6279745)

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